

375-3-1-.02 Documentation Required for Initial Issuance. Revised.

1. All persons applying for initial issuance of any driver's license, permit or identification card issued by the Department shall state in writing whether he or she has ever been issued a driver's license by the State of Georgia or any other state or agency and shall state the date and place of issuance with the license number, if known. This requirement shall not apply to persons applying for the renewal of a driver's license, permit or identification card by means other than personal appearance, when authorized to do so by the Department.
2. All persons applying for initial issuance of any driver's license, permit or identification card issued by the State of Georgia shall state in writing whether he or she has taken any previous driver's license examination in any jurisdiction. This requirement shall not apply to persons applying for the renewal of a driver's license, permit or identification card by means other than personal appearance, when authorized to do so by the Department.
3. Any person applying for initial issuance of any driver's license, permit or identification card issued by the State of Georgia shall state in writing if any previously issued license, whether issued by the State of Georgia or any other state or licensing agency, has ever been revoked, suspended or canceled, or whether any application for a motor vehicle driver's license has ever been denied. The application shall state the cause for revocation, suspension, cancellation or denial, the circumstances surrounding the action taken, the number of times such action has been taken and whether the license has been re-issued or application granted. This requirement shall not apply to persons applying for the renewal of a driver's license, permit or identification card by means other than personal appearance, when authorized to do so by the Department.
4. Applicants for initial issuance of a Georgia driver's license, permit or identification card shall state in writing whether he or she has been convicted of any previous violations of motor vehicle laws, in any jurisdiction, giving the nature and circumstances of the offense, the penalty imposed, and the date and place of the occurrence. This requirement shall not apply to persons applying for the renewal of a driver's license, permit or identification card by means other than personal appearance, when authorized to do so by the Department.
5. Applicants for initial issuance of a Georgia driver's license, permit or identification card shall furnish one of the following as proof of his or her identity:
  - a. Original birth certificate;
  - b. Certificate of birth registration;
  - c. Certified copy of birth certificate;
  - d. Certified copy of court records (adoption, name, or sex change);
  - e. Certified naturalization documentation;
  - f. Immigration ID Card;
  - g. Valid passport;
  - h. Military identification card issued by the United States armed forces.

6. Applicants for initial issuance of a Georgia driver's license, permit or identification card shall provide documentation proving either United States citizenship or legal authorization from the Immigration and Customs Enforcement bureau of the United States Department of Homeland Security.
  - a. In order to prove United States citizenship, an applicant for an initial Georgia driver's license, permit or identification card shall furnish one of the following as proof thereof:
    - i. Original birth certificate issued by a United States jurisdiction;
    - ii. Certified copy of birth certificate issued by a United States jurisdiction;
    - iii. Valid United States passport;
    - iv. Original certificate of citizenship (Form N560);
    - v. Certified copy of certificate of citizenship (Form N560);
    - vi. Original certificate of naturalization (Form N550);
    - vii. Certified copy of certificate of naturalization (Form N550).
  - b. In order to prove legal authorization from the Immigration and Customs Enforcement bureau of the United States Department of Homeland Security, an applicant for an initial Georgia driver's license, permit or identification card shall furnish one of the following as proof thereof:
    - i. Foreign passport with appropriate immigration documents;
    - ii. Resident Alien Card (Form I-551);
    - iii. Temporary Resident Alien Card (Form I-668);
7. Applicants for initial issuance of a Georgia driver's license, permit or identification card shall furnish proof that the applicant currently resides in Georgia and provide a valid Georgia residence address. The following items are acceptable proof if they contain a valid Georgia residence address:
  - a. Utility bill issued within the last sixty (60) days;
  - b. Bank statement issued within the last sixty (60) days;
  - c. Currently valid rental contracts and/or receipts for payments made within the last sixty (60) days for rent payments;
  - d. Employer verification, including, but not limited to, one of the following:
    - i. Paycheck or paycheck stub;
    - ii. Letter from employer; or
    - iii. W-2 for current or preceding calendar year;
  - e. Non-expired Georgia driver's license, permit or identification card issued to parent, guardian or spouse;
  - f. Health insurance statement;

- g. State of Georgia or Federal income tax return for current or preceding calendar year;
- h. Annual social security statement for current or preceding calendar year;
- i. Medicare or Medicaid statement;
- j. School record or transcript for current or preceding calendar year;
- k. Homeowners insurance policy or bill for current or preceding calendar year; or
- l. Mortgage, payment coupon, deed, or property tax bill for current or preceding calendar year.

This requirement shall not apply to persons applying for the renewal of a driver's license, permit or identification card by means other than personal appearance, when authorized to do so by the Department.

- 8. ~~Reserved.~~ Notwithstanding any provision of this regulation to the contrary, a probationer, parolee or person who has been released from the custody of the Georgia Department of Corrections within the last sixty (60) days may prove his or her residence address by submitting confirmation thereof from an employee of the Department of Corrections on the form designated by the Department.
- 9. Reserved.
- 10. In accordance with O.C.G.A. §40-5-28, all driver's licenses shall bear a color photograph of the licensee. Specifically, all applicants are to be photographed, with no part of the applicant's face covered.
- 11. In addition to the items listed in this regulation, any two of the following documents will be acceptable proof of identity for a replacement Georgia driver's license, permit or identification card:
  - a. Marriage License;
  - b. Social Security Card;
  - c. Previous Year Income Tax Return;
  - d. Current Insurance Policy;
  - e. Current Automobile Registration Receipt;
  - f. Voter Registration Card.
- 12. ~~Reserved.~~ Applicants for initial issuance of a Georgia driver's license, permit or identification card who have been designated as asylees by the United States Department of Homeland Security may satisfy the requirements for proof of identity, lawful presence in the United States, and residency by providing the following:

- i. Original I-94 indicating asylee status; and
  - ii. Proof of residency as set forth in paragraph 7, *supra*.
- 13. Applicants for initial issuance of a Georgia driver's license, permit or identification card who have been designated as refugees by the United States Department of Homeland Security may satisfy the requirements for proof of identity, lawful presence in the United States, and residency by providing the following:
  - a. If the applicant is a refugee initially placed in the State of Georgia upon arrival in the United States:
    - i. Original I-94 indicating refugee status;
    - ii. Reception and placement form identifying agency responsible for settling applicant in the State of Georgia; and
    - iii. Refugee Affidavit form bearing notarized signature of representative of the placement agency identified in the reception and placement form submitted to satisfy subparagraph (ii), *supra*, and containing applicant's residence address. The Department will notarize said forms at the Customer Service Center at which the applicant applies for said initial issuance if the placement agency does not have a notary on staff.
  - b. If the applicant is a refugee age eighteen (18) or over who was initially placed in a state other than Georgia upon arrival in the United States, but who has since moved to the State of Georgia:
    - i. Original I-94 indicating refugee status;
    - ii. Driver's license or identification card issued by previous state of residence; and
    - iii. Proof of residency as set forth in paragraph 7, *supra*.
  - c. If the applicant is a refugee under age eighteen (18) who was initially placed in a state other than Georgia upon arrival in the United States, but who has since moved to the State of Georgia:
    - ii. Original I-94 indicating refugee status; and
    - ii. Proof of residency as set forth in paragraph 7, *supra*.

Authority: O.C.G.A. §§ 40-5-4, 40-5-101.

## **SYNOPSIS**

### **STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE**

The purpose of this proposed amendment is to modify an existing regulation to allow for alternative proof of residency from individuals recently released from the custody of the

Department of Corrections and alternative proof of identity, lawful and lawful presence for individuals granted asylum in the United States.

## **DIFFERENCES BETWEEN EXISTING AND PROPOSED RULES**

Paragraph 8, which was previously reserved, was amended to allow individuals recently released from incarceration to prove residency by verification from an employee of the Department of Corrections.

Paragraph 12, which was previously reserved, was amended to allow asylees to prove identity and lawful presence using the I-94 issued to them by the Department of Homeland Security.